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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

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FLORIDA ELECTIONS COMMISSION**

**In Re: Matt Waggoner and Nassau
County Fire Rescue Professional,
PAC**

**Case No.: FEC 10-189
F.O. No.: FOFEC 11-002W**

CONSENT FINAL ORDER

The Respondents, Matt Waggoner, and Nassau County Fire Rescue Professional, PAC (Committee), and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On September 7, 2010, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. The Respondents desire to enter into negotiations directed toward reaching a consent agreement.
3. The Respondent and the staff stipulate to the following facts:
 - a. The Respondent, Matt Waggoner, is the chairman of the Nassau County Fire Rescue, Professional, PAC.
 - b. Section 106.19(1)(a), Florida Statutes, prohibits a political committee from accepting contributions in excess of \$500 from a person per election.
 - c. Respondent accepted three contributions from the Nassau County Fire and Rescue Professionals Union. The total amount of the contributions was in excess of the legal limits.
 - d. During the 2010 election cycle, Respondents were required to submit

regular reports of contributions received and expenditures made by the committee.

e. Section 106.07(5), Florida Statutes, requires Respondent Waggoner to certify that the each of the campaign reports was true, correct and complete.

f. Respondent Waggoner certified that the Committee's 2010 F1 report was true, correct, and complete when it was not.

g. Respondents' acceptance of the excessive contributions were violations of Section 106.19(1)(a), Florida Statutes. Respondent Waggoner's certification that the Committee's 2010 F1 report was true, correct, and complete when it was not is a violation of Section 106.07(5), Florida Statutes.

CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and the Respondent stipulate that all elements of the offenses set forth in paragraph three above can proven by clear and convincing evidence.

ORDER

7. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8. The Respondent shall bear their own attorneys fees and costs that are in any way associated with this case.

9. The Commission will consider the Consent Order at its next available meeting.

10. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order within 20 days of the date Respondent or their attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment of the civil penalty is a condition precedent to the Commission's consideration of the Consent Order.

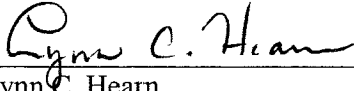
PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondents have violated Sections 106.07(5) and 106.19(1)(a), Florida Statutes and imposes a civil penalty of \$2500 for the violations:

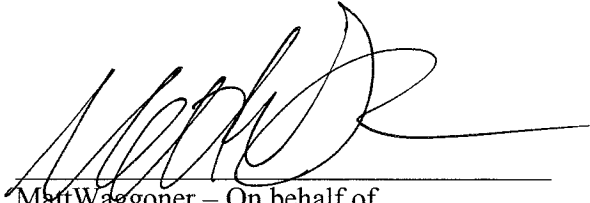
Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$2500, inclusive of fees, and costs. The civil penalty shall be paid by cashier's check or attorney's trust account check and sent to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

The **Respondent** hereby agrees and consents to the terms of this Order on _____, 2011.



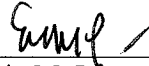
Lynn C. Hearn
Meyer, Brooks, Demma and Blohm, P.A
131 North Gadsden Street
Tallahassee, Florida 32301



Matt Waggoner – On behalf of
Nassau County Fire Rescue
Professionals PAC
37145 Lorena Drive
Hillard, Florida 32041

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on

January 31, 2011, 2011.



Eric M. Lipman
General Counsel
Florida Elections Commission
107 W. Gaines Streets
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on February 8 & 9, 2011, in Tallahassee, Florida.



Jose Luis Rodriguez, Vice-Chair
Acting Interim Chairman
Florida Elections Commission

FEBRUARY 15, 2011

Date

Copies furnished to:

Eric M. Lipman, General Counsel
Lynn C. Hearn, Attorney for Respondents